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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/779,605

02/18/2004

Richard Knoblauch

028987.52980US

1011

23911 7590 02/08/2007
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EXAMINER

JOHNSON, VICKY A

ART UNIT

PAPER NUMBER

3682

SHORTENED STATUTORY PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE
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3 MONTHS

02/08/2007

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

Office Action Summary

Application No.

10/779,605

Applicant(s)

KNOBLAUCH ET AL

Examiner

Vicky A. Johnson

Art Unit

3682

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-9 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-9 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. ____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date ____.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____.
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: ____.

DETAILED ACTION

Priority

1. Receipt is acknowledged of papers submitted under 35 U.S.C. 119(a)-(d), which papers have been placed of record in the file.

Claim Objections

2. Claims 5 and 9 are objected to because of the following informalities: In claim 5, line 2 recites "transmissionand"; in claim 15 line 9 recites "respative". Appropriate correction is required.

Claim Rejections - 35 USC § 102

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

4. Claims 1-9 are rejected under 35 U.S.C. 102(b) as being anticipated by Meisenburg et al (US 5,249,995).

Meisenburg et al disclose an apparatus for the absorption of torsional vibrations of an internal combustion engine, comprising an input shaft (32) between the internal combustion engine and a transmission (see Fig 3), and a drive shaft (40) of the transmission, which is operatively associated with said input shaft (see Fig 2), wherein each of the input and drive shafts includes a torsion bar that has a lower torsional spring constant than the rest of the shaft as a whole (inherent), wherein the apparatus further includes a rotating mass device (72, 76) on each of the input and drive shafts, and

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wherein the apparatus is disposed between the internal combustion engine and the transmission (see Fig 2).

Re claim 2, the rotating mass devices include gears, which are in engagement with one another (see Fig 3).

Re claim 3, the drive shaft runs transversely across a longitudinal axis of the input shaft, and wherein the gears are bevel gears (see Fig 3).

Re claim 4, the bevel gears include first and second hubs (unnumbered, see Fig 3) that surround the input shaft and the drive shaft, respectively, and wherein the apparatus further include first and second sets of driver teeth (col. 3 lines 3-12) that are provided between the first and second hubs and the input shaft and the drive shaft, respectively (see Fig 3).

Re claim 5, a third hub (unnumbered hub of 78) and a third set of driver teeth (col. 3 lines 3-12), the third hub being joined to the drive shaft by the third set of driver teeth (see Fig 3).

Re claim 6, a third hub (unnumbered hub of 78) a third set of driver teeth (col. 3 lines 3-12), the third hub being joined to the drive shaft by the third set of driver teeth (see Fig 3).

Re claim 7, the torsion bars are formed by one or more cross-sectional constrictions of the input shaft or drive shaft (see Fig 3).

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Re claim 8, the cross-sectional constrictions are provided in the vicinity of the hubs of the bevel gear of the input shaft and of the fixed gears of the drive shaft (see Fig 3).

Re claim 9, an input shaft (32) disposed between the internal combustion engine and a transmission (see Fig 2); a drive shaft (40) operatively associated with the input shaft, wherein each of the input and drive shafts is a torsion bar of relatively lower torsional spring constant when compared to the rest of the shaft in general (inherent); a rotating mass device (72, 76) on each of the input shaft and drive shaft, wherein the rotating mass devices include respective gears meshing with one another (see Fig 3), and wherein the apparatus is disposed between the internal combustion engine and a transmission (see Fig 2).

Conclusion


5. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

5,165,495	Fuji	(torsion bar)
6,308,588	Zubik	(drive teeth)

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Vicky A. Johnson whose telephone number is (571) 272-7106. The examiner can normally be reached on Monday-Friday (7:00a-3:30p).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Richard Ridley can be reached on (571) 272-6217. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.


Vicky A. Johnson 1/21/07
Primary Examiner
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